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**Profile of a Filibustered Nominee: Judge William Pryor**

- The President nominated Judge Pryor for the 11<sup>th</sup> Circuit in 2003. After Democrats filibustered his nomination, the President gave him a recess appointment to the same court. That appointment will run through the end of the first session of the 109<sup>th</sup> Congress.
- Judge Pryor previously served as **Attorney General of Alabama — having been reelected in 2002 with 59 percent of the vote.** Judge Pryor had previously served as Deputy Attorney General in charge of special civil and constitutional litigation.
- Before joining the Attorney General’s Office, Judge Pryor practiced law in Birmingham, AL, at two of the state’s finest law firms, specializing in commercial and complex federal litigation. He also taught several years as an **adjunct law professor** at the Cumberland School of Law of Samford University.
- Judge Pryor began his legal career as a law clerk for a civil rights legend, the late Judge John Minor Wisdom of the U.S. Court of Appeals for the Fifth Circuit. Judge Wisdom achieved renown for his landmark decisions ordering and implementing

desegregation in the wake of the Supreme Court's historic ruling in Brown v. Board of Education.

- Previously, Judge Pryor attended **Tulane University School of Law, where he graduated magna cum laude in 1987 and was editor-in-chief of the Tulane Law Review.**
- Judge Pryor has widespread support from across the ideological and political spectrum in Alabama.
  - Dr. Joe Reed, the chairman of the **Alabama Democratic Conference** (the state party's African-American caucus), calls General Pryor a "first-class public official" who "will be a credit to the [j]udiciary and will be a guardian for justice."
  - Thurbert Baker, the **Democratic Attorney General of Georgia** and an African-American, says that Pryor "has always done what he thought was best for the people of Alabama" and "know[s] that his work on the bench will continue to serve as an example of how the public trust should be upheld."
  - **Former Democratic Alabama Governor Don Siegelman**, who served in that office for much of General Pryor's tenure as Attorney General, stated, "Bill Pryor is an incredibly talented, intellectually honest attorney general. He calls them like he sees them. He's got a lot of courage, and he will stand up and fight when he believes he's right."

#### Filibuster Timeline

3/12/2003	Nominated to U.S. Court of Appeals for the Eleventh Circuit by President Bush
7/23/2003	Passed out of Senate Judiciary Committee with favorable recommendation
7/31/2003	Democrats refused to allow vote on nomination (cloture denied 53-44)
11/14/2003	Democrats refused to allow vote on nomination (cloture denied 51-43)
2/20/2004	Given recess appointment to 11 <sup>th</sup> Circuit (expires end of 109 <sup>th</sup> Cong; 1 <sup>st</sup> Session)

#### On The Floor

##### **Representative Steve Chabot (R-OH), Floor Statement, 5/3/05**

"Since 2003, President Bush's judicial nominees have been filibustered, including those who would fill four vacancies in the Sixth Circuit Court of Appeals, which is located in Cincinnati, Ohio. This is unprecedented.

"Some may believe that blocking judicial nominations is a long and revered tradition. Nothing could be further from the truth. Never before has a judicial nominee with clear majority support been denied the courtesy of an up-or-down vote. Not once.

“The filibuster is not part of the Constitution. It's not even part of the old Senate rules. While it is a useful tool to contour legislation and should remain as such, we should not allow the filibustering of judicial nominations to dictate our federal system of government. Each time a nominee is denied an up-or-down vote, the impact is vast. Not only is our federal judiciary weakened, but our Constitution becomes more vulnerable. These actions are unprecedented and are abhorrent to those who are bound by oath to uphold our country's most sacred document.”

### **Representative Lamar Smith (R-TX), Floor Statement, 5/3/05**

“Mr. Speaker, since 2003 Senate Democrats have filibustered or threatened to filibuster ten of the President's circuit court nominees. This is unprecedented.

“Some believe that applying the filibuster to judicial nominations is a long and revered Senate tradition. Not so.

“Never before has a judicial nominee with clear majority support been denied an up or down vote on the Senate floor.

“Not until Miguel Estrada's nomination in 2003 has a judicial nominee with clear majority support been blocked by a filibuster.

“Fairness in the justice system begins with the confirmation of capable judges. Each time a nominee is denied a vote, the American people are denied justice. The American people deserve better. It is time for every judicial nominee to receive an up or down vote.

“Remember, never before has a judicial nominee with clear majority support been denied an up or down vote on the Senate floor.”

### **In The Press**

#### **“Enough Said”, Richmond Times-Dispatch, May 3, 2005**

Democratic Senator Barbara Boxer, in 1997, on the judicial nomination of Margaret Morrow: “[Ms.] Morrow's confirmation should not be held hostage for political reasons, Mr. President. According to the U.S. Constitution, the President nominates, and the Senate shall provide advice and consent. It is not the role of the Senate to obstruct the process and prevent numbers of highly qualified nominees from even being given the opportunity for a vote on the Senate floor.”

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